

112TH CONGRESS  
1ST SESSION

# H. J. RES. 44

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IN THE SENATE OF THE UNITED STATES

MARCH 1, 2011

Received

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## JOINT RESOLUTION

Making further continuing appropriations for fiscal year  
2011, and for other purposes.

- 1       *Resolved by the Senate and House of Representatives*  
2   *of the United States of America in Congress assembled,*  
3   That the Continuing Appropriations Act, 2011 (Public  
4   Law 111–242) is further amended—

1           (1) by striking the date specified in section  
2       106(3) and inserting “March 18, 2011”; and

3           (2) by adding after section 166, as added by  
4       the Continuing Appropriations Amendments, 2011  
5       (section 1 of Public Law 111–322), the following  
6       new sections:

7       “SEC. 167. The amounts described in paragraphs (1)  
8       and (2) of section 114 of this Act are designated as being  
9       for contingency operations directly related to the global  
10      war on terrorism pursuant to section 3(c)(2) of H. Res.  
11      5 (112th Congress) and as an emergency requirement pur-  
12      suant to section 403(a) of S. Con. Res. 13 (111th Con-  
13      gress), the concurrent resolution on the budget for fiscal  
14      year 2010.

15      “SEC. 168. Any language specifying an earmark in  
16      an appropriations Act for fiscal year 2010, or in a com-  
17      mittee report or joint explanatory statement accom-  
18      panying such an Act, shall have no legal effect with re-  
19      spect to funds appropriated by this Act. For purposes of  
20      this section, the term ‘earmark’ means a congressional  
21      earmark or congressionally directed spending item, as de-  
22      fined in clause 9(e) of rule XXI of the Rules of the House  
23      of Representatives and paragraph 5(a) of rule XLIV of  
24      the Standing Rules of the Senate.

1       “SEC. 169. The first and third paragraphs under the  
2 heading ‘Rural Development Programs—Rural Utilities  
3 Service—Distance Learning, Telemedicine, and  
4 Broadband Program’ in Public Law 111–80 shall not  
5 apply to funds appropriated by this Act.

6       “SEC. 170. Notwithstanding section 101, amounts  
7 are provided for ‘Corps of Engineers-Civil—Investiga-  
8 tions’ at a rate for operations of \$104,000,000.

9       “SEC. 171. Notwithstanding section 101, amounts  
10 are provided for ‘Corps of Engineers-Civil—Construction’  
11 at a rate for operations of \$1,690,000,000: *Provided*, That  
12 all of the provisos under such heading in Public Law 111–  
13 85 shall not apply to funds appropriated by this Act.

14       “SEC. 172. Notwithstanding section 101, amounts  
15 are provided for ‘Corps of Engineers-Civil—Mississippi  
16 River and Tributaries’ at a rate for operations of  
17 \$260,000,000: *Provided*, That the proviso under such  
18 heading in Public Law 111–85 shall not apply to funds  
19 appropriated by this Act.

20       “SEC. 173. Notwithstanding section 101, amounts  
21 are provided for ‘Corps of Engineers-Civil—Operation and  
22 Maintenance’ at a rate for operations of \$2,361,000,000.

23       “SEC. 174. Notwithstanding section 101, amounts  
24 are provided for ‘Department of the Interior—Bureau of  
25 Reclamation—Water and Related Resources’ at a rate for

1 operations of \$913,580,000: *Provided*, That the fifth pro-  
2 viso (regarding the San Gabriel Basin Restoration Fund)  
3 and seventh proviso (regarding the Milk River Project)  
4 under such heading in Public Law 111–85 shall not apply  
5 to funds appropriated by this Act.

6 “SEC. 175. Notwithstanding section 101, amounts  
7 are provided for ‘Department of Energy—Energy Pro-  
8 grams—Energy Efficiency and Renewable Energy’ at a  
9 rate for operations of \$1,950,370,000: *Provided*, That all  
10 of the provisos under such heading in Public Law 111–  
11 85 shall not apply to funds appropriated by this Act.

12 “SEC. 176. Notwithstanding section 101, amounts  
13 are provided for ‘Department of Energy—Energy Pro-  
14 grams—Electricity Delivery and Energy Reliability’ at a  
15 rate for operations of \$158,910,000: *Provided*, That all  
16 of the provisos under such heading in Public Law 111–  
17 85 shall not apply to funds appropriated by this Act.

18 “SEC. 177. Notwithstanding section 101, amounts  
19 are provided for ‘Department of Energy—Energy Pro-  
20 grams—Nuclear Energy’ at a rate for operations of  
21 \$784,140,000: *Provided*, That the proviso under such  
22 heading in Public Law 111–85 shall not apply to funds  
23 appropriated by this Act.

24 “SEC. 178. Notwithstanding section 101, amounts  
25 are provided for ‘Department of Energy—Energy Pro-

1 grams—Fossil Energy Research and Development’ at a  
2 rate for operations of \$635,530,000: *Provided*, That the  
3 second proviso under such heading in Public Law 111–  
4 85 shall not apply to funds appropriated by this Act.

5       “SEC. 179. Notwithstanding section 101, amounts  
6 are provided for ‘Department of Energy—Energy Pro-  
7 grams—Science’ at a rate for operations of  
8 \$4,826,820,000: *Provided*, That all of the provisos under  
9 such heading in Public Law 111–85 shall not apply to  
10 funds appropriated by this Act.

11       “SEC. 180. The last proviso under the heading ‘De-  
12 partment of Energy—Atomic Energy Defense Activities—  
13 National Nuclear Security Administration—Weapons Ac-  
14 tivities’ in Public Law 111–85 shall not apply to funds  
15 appropriated by this Act.

16       “SEC. 181. Notwithstanding section 101, amounts  
17 are provided for ‘Department of Energy—Atomic Energy  
18 Defense Activities—National Nuclear Security Adminis-  
19 tration—Defense Nuclear Nonproliferation’ at a rate for  
20 operations of \$2,136,460,000: *Provided*, That the proviso  
21 under such heading in Public Law 111–85 shall not apply  
22 to funds appropriated by this Act.

23       “SEC. 182. Notwithstanding section 101, amounts  
24 are provided for ‘Department of Energy—Atomic Energy  
25 Defense Activities—National Nuclear Security Adminis-

1 tration—Office of the Administrator’ at a rate for oper-  
2 ations of \$407,750,000: *Provided*, That the last proviso  
3 under such heading in Public Law 111–85 shall not apply  
4 to funds appropriated by this Act.

5 “SEC. 183. Notwithstanding section 101, amounts  
6 are provided for ‘Department of Energy—Environmental  
7 and Other Defense Activities—Defense Environmental  
8 Cleanup’ at a rate for operations of \$5,209,031,000, of  
9 which \$33,700,000 shall be transferred to the ‘Uranium  
10 Enrichment Decontamination and Decommissioning  
11 Fund’: *Provided*, That the proviso under such heading in  
12 Public Law 111–85 shall not apply to funds appropriated  
13 by this Act.

14 “SEC. 184. Notwithstanding section 101, amounts  
15 are provided for ‘Department of Energy—Environmental  
16 and Other Defense Activities—Other Defense Activities’  
17 at a rate for operations of \$844,470,000: *Provided*, That  
18 the proviso under such heading in Public Law 111–85  
19 shall not apply to funds appropriated by this Act.

20 “SEC. 185. Notwithstanding section 101, amounts  
21 are provided for ‘Independent Agencies—Election Assist-  
22 ance Commission—Election Reform Programs’ at a rate  
23 for operations of \$0.

24 “SEC. 186. Notwithstanding section 101, amounts  
25 are provided for ‘Department of Homeland Security—Of-

1 fice of the Under Secretary for Management’ at a rate  
 2 for operations of \$253,190,000.

3 “SEC. 187. Notwithstanding section 101, amounts  
 4 are provided for ‘Department of Homeland Security—  
 5 U.S. Customs and Border Protection—Salaries and Ex-  
 6 penses’ at a rate for operations of \$8,063,913,000.

7 “SEC. 188. Notwithstanding section 101, amounts  
 8 are provided for ‘Department of Homeland Security—  
 9 U.S. Customs and Border Protection—Construction and  
 10 Facilities Management’ at a rate for operations of  
 11 \$276,370,000.

12 “SEC. 189. Notwithstanding section 101, amounts  
 13 are provided for ‘Department of Homeland Security—  
 14 Transportation Security Administration—Aviation Secu-  
 15 rity’ at a rate for operations of \$5,212,790,000: *Provided*,  
 16 That the amounts included under such heading in Public  
 17 Law 111–83 shall be applied to funds appropriated by this  
 18 Act as follows: by substituting ‘\$5,212,790,000’ for  
 19 ‘\$5,214,040,000’; by substituting ‘\$4,356,826,000’ for  
 20 ‘\$4,358,076,000’; by substituting ‘\$1,115,156,000’ for  
 21 ‘\$1,116,406,000’; by substituting \$777,050,000 for  
 22 \$778,300,000; and by substituting ‘\$3,112,790,000’ for  
 23 ‘\$3,114,040,000’.

24 “SEC. 190. Notwithstanding section 101, amounts  
 25 are provided for ‘Department of Homeland Security—

1 Coast Guard—Operating Expenses’ at a rate for oper-  
 2 ations of \$6,801,791,000: *Provided*, That section 157 of  
 3 this Act shall be applied by substituting ‘\$17,880,000’ for  
 4 ‘\$21,880,000’, and without regard to ‘and “Coast Guard,  
 5 Alteration of Bridges”’.

6 “SEC. 191. Notwithstanding section 101, amounts  
 7 are provided for ‘Department of Homeland Security—  
 8 Coast Guard—Acquisition, Construction, and Improve-  
 9 ments’ at a rate for operations of \$1,519,980,000.

10 “SEC. 192. Notwithstanding section 101, amounts  
 11 are provided for ‘Department of Homeland Security—  
 12 Coast Guard—Alteration of Bridges’ at a rate for oper-  
 13 ations of \$0.

14 “SEC. 193. Notwithstanding section 101, amounts  
 15 are provided for ‘Department of Homeland Security—Na-  
 16 tional Protection and Programs Directorate—Infrastruc-  
 17 ture Protection and Information Security’ at a rate for  
 18 operations of \$879,816,000.

19 “SEC. 194. Notwithstanding section 101, amounts  
 20 are provided for ‘Department of Homeland Security—Of-  
 21 fice of Health Affairs’ at a rate for operations of  
 22 \$134,250,000.

23 “SEC. 195. Notwithstanding section 101, amounts  
 24 are provided for ‘Department of Homeland Security—  
 25 Federal Emergency Management Agency—State and



1 Local Programs’ at a rate for operations of  
2 \$2,912,558,000: *Provided*, That the amounts included  
3 under such heading in Public Law 111–83 shall be applied  
4 to funds appropriated by this Act as follows: in paragraph  
5 (12), by substituting ‘\$12,554,000’ for ‘\$60,000,000’ and  
6 by substituting ‘\$0’ for each subsequent amount in such  
7 paragraph; in paragraph (13), by substituting  
8 ‘\$212,500,000’ for ‘\$267,200,000’; in paragraph (13)(A),  
9 by substituting ‘\$114,000,000’ for ‘\$164,500,000’; in  
10 paragraph (13)(B), by substituting ‘\$0’ for ‘\$1,700,000’;  
11 and in paragraph (13)(C), by substituting ‘\$0’ for  
12 ‘\$3,000,000’: *Provided further*, That 4.5 percent of the  
13 amount provided for ‘Federal Emergency Management  
14 Agency—State and Local Programs’ by this Act shall be  
15 transferred to ‘Federal Emergency Management Agency—  
16 Management and Administration’ for program administra-  
17 tion.

18 “SEC. 196. Notwithstanding section 101, amounts  
19 are provided for ‘Department of Homeland Security—  
20 Federal Emergency Management Agency—National  
21 Predisaster Mitigation Fund’ at a rate for operations of  
22 \$75,364,000.

23 “SEC. 197. Notwithstanding section 101, amounts  
24 are provided for ‘Department of Homeland Security—  
25 Science and Technology—Research, Development, Acqui-

1 sition, and Operations’ at a rate for operations of  
2 \$821,906,000.

3 “SEC. 198. Sections 541 and 545 of Public Law 111–  
4 83 (123 Stat. 2176) shall have no force or effect.

5 “SEC. 199. Notwithstanding section 101, amounts  
6 are provided for ‘Smithsonian Institution—Legacy Fund’  
7 at a rate for operations of \$0.

8 “SEC. 200. Notwithstanding section 101, amounts  
9 are provided for ‘Department of Labor—Employment and  
10 Training Administration—Training and Employment  
11 Services’ at a rate for operations of \$3,779,641,000, of  
12 which \$340,154,000 shall be for national activities de-  
13 scribed in paragraph (3) under such heading in division  
14 D of Public Law 111–117: *Provided*, That the amounts  
15 included for national activities under such heading in divi-  
16 sion D of Public Law 111–117 shall be applied to funds  
17 appropriated by this Act as follows: by substituting  
18 ‘\$44,561,000’ for ‘\$93,450,000’ and by substituting ‘\$0’  
19 for ‘\$48,889,000’.

20 “SEC. 201. Notwithstanding section 101, amounts  
21 are provided for ‘Department of Labor—Mine Safety and  
22 Health Administration—Salaries and Expenses’ at a rate  
23 for operations of \$355,843,000: *Provided*, That the  
24 amounts included under such heading in division D of

1 Public Law 111–117 shall be applied to funds appro-  
2 priated by this Act by substituting ‘\$0’ for ‘\$1,450,000’.

3 “SEC. 202. Notwithstanding section 101, amounts  
4 are provided for ‘Department of Labor—Departmental  
5 Management’ at a rate for operations of \$314,827,000:  
6 *Provided*, That the amounts included under such heading  
7 in division D of Public Law 111–117 shall be applied to  
8 funds appropriated by this Act by substituting ‘\$0’ for  
9 ‘\$40,000,000’.

10 “SEC. 203. Notwithstanding section 101, amounts  
11 are provided for ‘Department of Health and Human Serv-  
12 ices—Health Resources and Services Administration—  
13 Health Resources and Services’ at a rate for operations  
14 of \$7,076,520,000: *Provided*, That the eighteenth, nine-  
15 teenth, and twenty-second provisos under such heading in  
16 division D of Public Law 111–117 shall not apply to funds  
17 appropriated by this Act.

18 “SEC. 204. Notwithstanding section 101, amounts  
19 are provided for ‘Department of Health and Human Serv-  
20 ices—Centers for Disease Control and Prevention—Dis-  
21 ease Control, Research, and Training’ at a rate for oper-  
22 ations of \$6,369,767,000: *Provided*, That the amount in-  
23 cluded before the first proviso under such heading in divi-  
24 sion D of Public Law 111–117 shall be applied to funds

1 appropriated by this Act by substituting ‘\$0’ for  
2 ‘\$20,620,000’.

3       “SEC. 205. Notwithstanding section 101, amounts  
4 are provided for ‘Department of Health and Human Serv-  
5 ices—Substance Abuse and Mental Health Services Ad-  
6 ministration—Substance Abuse and Mental Health Serv-  
7 ices’ at a rate for operations of \$3,417,106,000: *Provided*,  
8 That the amount included before the first proviso under  
9 such heading in division D of Public Law 111–117 shall  
10 be applied to funds appropriated by this Act by sub-  
11 stituting ‘\$0’ for ‘\$14,518,000’.

12       “SEC. 206. Notwithstanding section 101, amounts  
13 are transferred from the Federal Hospital Insurance  
14 Trust Fund and the Federal Supplementary Medical In-  
15 surance Trust Fund for ‘Department of Health and  
16 Human Services—Centers for Medicare and Medicaid  
17 Services—Program Management’ at a rate for operations  
18 of \$3,467,142,000: *Provided*, That the sixth proviso under  
19 such heading in division D of Public Law 111–117 shall  
20 not apply to funds appropriated by this Act.

21       “SEC. 207. Notwithstanding section 101, amounts  
22 are provided for ‘Department of Health and Human Serv-  
23 ices—Administration for Children and Families—Pay-  
24 ments to States for the Child Care and Development Block  
25 Grant’ at a rate for operations of \$2,126,081,000: *Pro-*

1 *vided*, That the amount included in the first proviso under  
2 such heading in division D of Public Law 111–117 shall  
3 be applied to funds appropriated by this Act by sub-  
4 stituting ‘\$0’ for ‘\$1,000,000’.

5 “SEC. 208. Notwithstanding section 101, amounts  
6 are provided for ‘Department of Health and Human Serv-  
7 ices—Administration for Children and Families—Children  
8 and Families Services Programs’ at a rate for operations  
9 of \$9,293,747,000: *Provided*, That the fifteenth proviso  
10 under such heading in division D of Public Law 111–117  
11 shall not apply to funds appropriated by this Act.

12 “SEC. 209. Notwithstanding section 101, amounts  
13 are provided for ‘Department of Health and Human Serv-  
14 ices—Administration on Aging, Aging Services Programs’  
15 at a rate for operations of \$1,510,323,000: *Provided*, That  
16 the first proviso under such heading in division D of Pub-  
17 lic Law 111–117 shall not apply to funds appropriated  
18 by this Act.

19 “SEC. 210. Notwithstanding section 101, amounts  
20 are provided for ‘Department of Health and Human Serv-  
21 ices—Office of the Secretary—General Departmental  
22 Management’ at a rate for operations of \$491,727,000:  
23 *Provided*, That the seventh proviso under such heading in  
24 division D of Public Law 111–117 shall not apply to funds  
25 appropriated by this Act.

1       “SEC. 211. Notwithstanding section 101, amounts  
2 are provided for ‘Department of Education—Education  
3 for the Disadvantaged’ at a rate for operations of  
4 \$15,598,212,000, of which \$4,638,056,000 shall become  
5 available on July 1, 2011, and remain available through  
6 September 30, 2012: *Provided*, That the tenth, eleventh  
7 and twelfth provisos under such heading in division D of  
8 Public Law 111–117 shall not apply to funds appropriated  
9 by this Act.

10       “SEC. 212. Notwithstanding section 101, amounts  
11 are provided for ‘Department of Education—School Im-  
12 provement Programs’ at a rate for operations of  
13 \$5,223,444,000, of which \$3,358,993,000 shall become  
14 available on July 1, 2011, and remain available through  
15 September 30, 2012: *Provided*, That of such amounts, no  
16 funds shall be available for activities authorized under  
17 part Z of title VIII of the Higher Education Act of 1965:  
18 *Provided further*, That the second, third, and thirteenth  
19 provisos under such heading in division D of Public Law  
20 111–117 shall not apply to funds appropriated by this Act.

21       “SEC. 213. Notwithstanding section 101, amounts  
22 are provided for ‘Department of Education—Innovation  
23 and Improvement’ at a rate for operations of  
24 \$1,160,480,000, of which no funds shall be available for  
25 activities authorized under subpart 5 of part A of title II,

1 section 1504 of the Elementary and Secondary Education  
2 Act of 1965 ('ESEA'), or part F of title VIII of the High-  
3 er Education Act of 1965, and \$499,222,000 shall be for  
4 part D of title V of the ESEA: *Provided*, That the first,  
5 fourth, and fifth provisos under such heading in division  
6 D of Public Law 111–117 shall not apply to funds appro-  
7 priated by this Act.

8       “SEC. 214. Notwithstanding section 101, amounts  
9 are provided for ‘Department of Education—Safe Schools  
10 and Citizenship Education’ at a rate for operations of  
11 \$361,398,000, of which, notwithstanding section 2343(b)  
12 of the ESEA, \$2,578,000 is for the continuation costs of  
13 awards made on a competitive basis under section 2345  
14 of the ESEA: *Provided*, That the third proviso under such  
15 heading in division D of Public Law 111–117 shall not  
16 apply to funds appropriated by this Act.

17       “SEC. 215. Notwithstanding section 101, amounts  
18 are provided for ‘Department of Education—Special Edu-  
19 cation’ at a rate for operations of \$12,564,953,000, of  
20 which \$3,726,354,000 shall become available on July 1,  
21 2011, and remain available through September 30, 2012:  
22 *Provided*, That the first and second provisos under such  
23 heading in division D of Public Law 111–117 shall not  
24 apply to funds appropriated by this Act.

1       “SEC. 216. Notwithstanding section 101, amounts  
2 are provided for ‘Department of Education—Rehabilita-  
3 tion Services and Disability Research’ at a rate for oper-  
4 ations of \$3,501,766,000: *Provided*, That the second pro-  
5 viso under such heading in division D of Public Law 111–  
6 117 shall not apply to funds appropriated by this Act.

7       “SEC. 217. Notwithstanding section 101, amounts  
8 are provided for ‘Department of Education—Career,  
9 Technical, and Adult Education’ at a rate for operations  
10 of \$1,928,447,000, of which \$1,137,447,000 shall become  
11 available on July 1, 2011, and remain available through  
12 September 30, 2012 and no funds shall be available for  
13 activities authorized under subpart 4 of part D of title  
14 V of the ESEA: *Provided*, That the seventh and eighth  
15 provisos under such heading in division D of Public Law  
16 111–117 shall not apply to funds appropriated by this Act.

17       “SEC. 218. Notwithstanding sections 101 and 164,  
18 amounts are provided for ‘Department of Education—  
19 Student Financial Assistance’ at a rate for operations of  
20 \$24,899,957,000, of which \$23,162,000,000 shall be  
21 available to carry out subpart 1 of part A of title IV of  
22 the Higher Education Act of 1965 and no funds shall be  
23 available for activities authorized under subpart 4 of part  
24 A of title IV of such Act: *Provided*, That the maximum



1 Pell Grant for which a student shall be eligible during  
2 award year 2011–2012 shall be \$4,860.

3 “SEC. 219. Notwithstanding section 101, amounts  
4 are provided for ‘Department of Education—Higher Edu-  
5 cation’ at a rate for operations of \$2,126,935,000, of  
6 which no funds shall be available for activities authorized  
7 under section 1543 of the Higher Education Amendments  
8 of 1992 or section 117 of the Carl D. Perkins Career and  
9 Technical Education Act of 2006: *Provided*, That the thir-  
10 teenth proviso under such heading in division D of Public  
11 Law 111–117 shall not apply to funds appropriated by  
12 this Act.

13 “SEC. 220. Notwithstanding section 101, amounts  
14 are provided for ‘Institute of Museum and Library Serv-  
15 ices—Office of Museum and Library Services: Grants and  
16 Administration’ at a rate for operations of \$265,869,000:  
17 *Provided*, That the amounts included under such heading  
18 in division D of Public Law 111–117 shall be applied to  
19 funds appropriated by this Act by substituting ‘\$0’ for  
20 ‘\$16,382,000’.

21 “SEC. 221. Notwithstanding section 101, amounts  
22 are provided for ‘Library of Congress—Salaries and Ex-  
23 penses’ at a rate for operations of \$445,951,000, of which  
24 \$0 shall be for the operations described in the seventh pro-  
25 viso under this heading in Public Law 111–68.

1       “SEC. 222. Notwithstanding section 101, amounts  
2 are provided for ‘Department of Transportation—Federal  
3 Highway Administration—Surface Transportation Prior-  
4 ities’ at a rate for operations of \$0.

5       “SEC. 223. Notwithstanding section 101, no funds  
6 are provided for activities described in section 122 of title  
7 I of division A of Public Law 111–117.

8       “SEC. 224. Notwithstanding section 101, section 186  
9 of title I of division A of Public Law 111–117 shall not  
10 apply to funds appropriated by this Act.

11       “SEC. 225. Notwithstanding section 101, amounts  
12 are provided for ‘Department of Transportation—Federal  
13 Railroad Administration—Rail Line Relocation and Im-  
14 provement Program’ at a rate for operations of  
15 \$10,012,800.

16       “SEC. 226. Notwithstanding section 101, amounts  
17 are provided for ‘Department of Housing and Urban De-  
18 velopment—Community Planning and Development—  
19 Community Development Fund’ at a rate for operations  
20 of \$4,255,068,480, of which \$0 shall be for grants for the  
21 Economic Development Initiative (EDI), and \$0 shall be  
22 for neighborhood initiatives: *Provided*, That the second  
23 and third paragraphs under such heading in title II of di-  
24 vision A of Public Law 111–117 shall not apply to funds  
25 appropriated by this Act.”.

- 1        This joint resolution may be cited as the “Further
- 2 Continuing Appropriations Amendments, 2011”.

Passed the House of Representatives March 1,  
2011.

Attest:

KAREN L. HAAS,  
*Clerk.*